

The Honorable Robert S Lasnik

James McDonald
14840 119th PL NE
Kirkland, WA 98034

**UNITED STATES DISTRICT COURT,
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

James McDonald

Plaintiff

No. C10-1952-RSL

v.

**OneWest Bank, FSB,
Northwest Trustee Services,
Mortgage Electronic Registration Systems,
Defendants.**

Declaration of James McDonald in Support
of Plaintiff's Motion to Extend Dispositive
Motion Cut-Off date

James McDonald declares as follows:

1. I am the Plaintiff and am competent to testify in the above-titled action and have personal knowledge of the matters referred to herein.
2. I issued subpoenas to several entities on July 5&6, 2012 that required the information be produced no later than July 23, 2012. None of the entities produced the information on time.
3. I have been attempting to work in good faith in obtaining the information and expect to obtain part of the discovery requested within 10 days.
4. I am unable to work with the counsel for the Defense in an act of good faith to obtain certain items until she returns to work on August 23, 2012. Should those good faith efforts fail, I would be unable to file a motion to compel until August 23, 2012 at the earliest.

1 5. I intend to file a dispositive motion based upon the information I receiving through
2 discovery that will have a strong impact on my arguments and be appropriate for a
3 dispositive motion.

4 6. I intend to withdraw my current partial motion for summary judgment and file a
5 new motion containing within it the information I am receiving.

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7 I declare under the penalty of perjury under the laws of the State of Washington that the
8 foregoing is true and correct. This declaration was executed on August 2, 2012 at Kirkland,
9 Washington.

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11 /s/ James McDonald

12 Declarant
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